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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/611,934	07/07/2000	Gal Ashour	ARC-00-0040-US1	7329

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EXAMINER	
ELISCA, PIERRE E	

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Office Action Summary	09/611,934	ASHOUR ET AL.	
	Examiner	**Art Unit**	
	Pierre E. Elisca	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 February 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office action is in response to Applicant's response filed on 2/4/2005.

2. Claims 1-17 are pending.

3. The rejection to claims 1, 2, 3, 5-13 and 15-17 under 35 U.S.C. 103 (a) as being unpatentable over **He et al. (U. S. Pat. No. 6,088,451) in view of Barrett et al (U.S. 2001/0042051A)** and to claims 4 and 14 as being unpatentable over He and Barrett in view of Official Notice as set forth in the Office action mailed on 11/12/2004 is maintained.

Claim Rejections - 35 USC § 103

4. **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

> **(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.**

5. Claims 1, 2, 3, 5-13 and 15-17 are rejected under 35 U.S.C. 103 (a) as being unpatentable over He et al. (U. S. Pat. No. 6,088,451) in view of Barrett et al (U.S. 2001/0042051A).

As per claims 1, 2, 3, 5-13 and 15-17 He discloses a system/method for securing access to network elements by user elements, wherein the network elements

and the user elements are coupled to a network. A network security server coupled to the network security to control access to the network elements and protec network resources and information (which is seen to read as Applicant's claimed invention wherein it is stated that a system for assisting a user conducting a transaction on a secure site of a server to logoff), comprising:

the server including:

a secure transaction protection module that tracks a user's access state to the server (see., abstract, lines 7-13, fig 2, please note that user credentials or privileges also include Web site);

a database in communication with the secure transaction protection module, for storing data to be accessed by the user (see., abstract, lines 14-16, col 2, lines 12-34);

an identification module for validating the user's access to the database (see., abstract, line 7-13, col 2, lines 12-34); and

a notification module for notifying the secure transaction protection module of a user's request to initiate a session on the server (see., col 31, lines 3038).

It is to be noted that He does not explicitly disclose wherein if the user selects site while logged on to the secure site of the server, the notification module sends a warning notice to the user to alert the user of an impending logoff from the secure site, and further sends a termination command to the secure transaction protection module for implicitly logging off (implicit logging off or leaving the secure site) the user from the secure site, and wherein response to the termination command, absent an instruction from the user to maintain a connection with the secure site exists the secure site, the

notification module sends a message to the secure transaction protection module for logging off the user from the secure site. However, Barrett discloses web browsers that require that a security warning be displayed to the user which indicates that the user is leaving a secured communication channel (see., page 5, col 1, lines 21-48). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the security system of He by including the limitations detailed above as taught by Barrett because such modification would provide the security system of He with the enhanced capability of notifying when a user exists the central controller or (secure site).

5. Claims 4 and 14 are rejected under 35 U.S.C. 103 (a) as being unpatentable over He and Barrett in view of Official Notice.

As per claims 4 and 14 He and Barrett disclose the claimed limitation as stated in claims 1 and 2 above. It is to be noted that **He and Barrett** do not explicitly disclose a cookie. However, the Examiner hereby take Official notice that Cookie is well-known in the art, and therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of **He, Hess, and Sonderegger** by including a cookie because it would provide with the enhanced necessary to control the network security based a cookie distribution.

RESPONSE TO ARGUMENTS

6. Applicant's argument filed on 2/4/2004 have been fully considered but they are not persuasive.

REMARKS

7. In response to Applicant's arguments, Applicant argues that the prior art of record Fail to disclose the recited feature:

a. "Applicant maintains that He et al, and Barrett cannot be combined", the Examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See In re Fine, 837 F.2d 1071,5 USPQ2d 1596 (Fed. Cir. 1988) and In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The rationale to modify or combine the prior art does not have to be expressly stated in the prior art; the rationale may be expressly or impliedly contained in the prior art or it may be reasoned from knowledge generally available to one of ordinary skill in the art, established scientific principles, or legal precedent established by prior case law. In re Fine, 837 F.2d 1071, 5USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). See also In re Eli Lilli & Co., 902 F.2d 943, 14 USPQ2d 1741 (Fed. Cir. 1990) (discussion of reliance on legal precedent); In re Nilssen, 851 F.2d 1401, 7USPQ2d 1500 (Fed. Cir. 1988) (references do not have to explicitly suggest combining teachings); Ex parte Clapp, 227 USPQ 972 (Bd. Pat. App & Inter);

and Es parte Levengood, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993) (reliance on logic and sound scientific reasoning).

Also in reference to Ex parte Levengood, 28 USPQ2d, 1301, the court stated that "Obviousness is a legal conclusion, the determination of which is a question of patent law.

Motivation for combining the teachings of the various references need not to explicitly found in the reference themselves, In re Keller, 642 F.2d 413, 208USPQ 871 (CCPA 1981). Indeed, the Examiner may provide an explanation based on logic and sound scientific reasoning that will support a holding of obviousness. In re Soli, 317 F.2d 941 137 USPQ 797 (CCPA 1963)."

b. "Applicant also argues that the implicit log-off reduces the risk to a user resulting from choosing an insecure site while logged onto a secure site". As indicated above, Barrett discloses web browsers that require that a security warning be displayed to the user which indicates that the user is leaving a secured communication channel. This process is readable as when a user leaving a secure site, a security warning be displayed to the user which indicates that the user is visiting a insecure site (see., page 5, col 1, lines 21-48). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the security system of He by including the limitations detailed above as taught by Barrett because such modification would provide the security system of He with the enhanced capability of notifying when a user exists the central controller or (secure site).

Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 703 305-3987. The examiner can normally be reached on 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703 305-9769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pierre Eddy Elisca

Primary Patent Examiner

March 22, 2005